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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 ROBERT MITCHELL, ) CASE NO. C08-0980-MJP-MAT  
09 Plaintiff, )  
10 v. ) ORDER STRIKING PLAINTIFF'S  
11 RODNEY ASKELSON, et al., ) MOTION FOR SUMMARY  
12 Defendants. ) JUDGMENT  
13 \_\_\_\_\_ )

14 This is a civil rights action brought under 42 U.S.C. § 1983. On November 17, 2008, the  
15 Court received from plaintiff a motion for summary judgment. However, the motion does not  
16 identify a noting date and plaintiff provides no proof that he served the motion on counsel for  
17 defendants. As plaintiff was previously advised, he may seek summary judgment only by way of  
18 a motion which fully complies with the requirements of Local Rule CR 7(b). (*See* Dkt. No. 52.)  
19 The instant motion does not.

20 Accordingly, plaintiff's motion for summary judgment (Dkt. No. 54) is STRICKEN.  
21 Plaintiff may request that the motion be reinstated once he provides proof to the Court that he has  
22 served his motion on defendants' counsel and once he has assigned a proper noting date for the

01 motion.

02           The Clerk shall send copies of this Order to plaintiff, to counsel for defendants, and to the  
03 Honorable Marsha J. Pechman.

04           DATED this 20th day of November, 2008.

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07 Mary Alice Theiler  
08 United States Magistrate Judge  
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